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OFFICE OF PETITIONS

In re Application of	:	
Fredy Ornath	:	DECISION ON PETITION
Application No. 10/511,869	:	TO MAKE SPECIAL UNDER
Filed: October 18, 2004	:	37 CFR 1.102(c)(2)(iii)
Attorney Docket No. 367/04208	:	

This is a decision on the petition under 37 CFR 1.102(c)(2)(iii), filed August 14, 2006, to make the above-identified application special based on the invention materially contributing to countering terrorism as set forth in M.P.E.P. § 708.02, Section XI.

The petition is **DISMISSED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(2)(iii) and MPEP § 708.02, Section XI: Countering Terrorism, must state that special status is sought because the invention materially contributes to countering terrorism. No fee is required for such a petition. See 37 CFR 1.102(c). If the application disclosure is not clear on its face that the claimed invention is materially directed to countering terrorism, the petition must be accompanied by a statement under 37 CFR 1.102 by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the invention materially contributes to countering terrorism. No fee is required.

Petitioner's submission fails to meet the criteria set out with respect to countering terrorism in M.P.E.P. § 708.02 (XI). The specification and claims as originally filed indicate that the invention is directed to a method and system of collecting vapors from an inspected item. A vapor collecting system or a method of vapor collection does not equate to "countering". Vapor collection in itself does not materially contribute to countering terrorism. Further steps would be required to actually offset or nullify terrorism. As a result, no advancement in the technology of countering terrorism has been persuasively shown.

Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries concerning this decision should be directed to Ramesh Krishnamurthy at 571-272-4914, or to the undersigned at 571-272-7099.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 1743 for action in its regular turn.



David Bucei
Petitions Examiner
Office of Petitions